REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 2-10, 12-19, 21-27 and 29-37 remain pending in the application. By the foregoing amendment, claims 2, 12, 21 and 29 are amended.

On pages 2-10 of the Office Action, independent claims 2, 12, 21 and 29, along with all dependent claims, are rejected as being unpatentable over U.S. Patent 6,580,870 (Kanazawa et al.), U.S. Patent 6,496,847 (Bugnion et al.), and U.S. Patent 6,802,022 (Olson), and further in view of U.S. Patent 6,272,625 (deCarmo). This rejection is respectfully traversed.

Before addressing the substance of this rejection, Applicants note that the Office Action, at page 4, quotes the phrase "the starting and providing steps are not done under the control of DVD player software," and then goes on for almost two pages to discuss the examiner's interpretation of this phrase relative to the prior art. This entire passage is irrelevant to the claims at issue, because the quoted phrase was deleted from the claims in the Amendment filed November 8, 2006. The most recent Office Action is the fourth consecutive Action since that Amendment which continues to base a rejection upon non-existent claim language. Moreover, each such Office Action has failed to address specific recitations of the then-pending claims, e.g., those added by amendments.

Applicants have paid the requisite fees for continued examination of the application, and are entitled to a full and fair consideration of the currently pending claims. Office Actions that repeat moot grounds of rejection, base on deleted claim language, without addressing each feature recited in the most recently presented

claims, do not meet this standard. Applicants request that the claims presented above, and the following remarks, be given full and favorable consideration.

Turning now to the merits of the presently pending claims, Applicants have discussed of record an exemplary application program layer with DVD player software 22, web browser 24 and other application programs 26 operably connected to an operating system 30, wherein the operating system checks the DVD for resource indications and associated sector address regions when the DVD is placed into the hardware player (e.g., page 2, lines 24-27). The resource indications and associated sector address regions can be stored as embedded information accessible from a text portion of the DVD in a manner that they are ignored by other systems that do not support embedded information (page 3, lines 2-7).

Applicants have further discussed of record checking whether any embedded information is stored in the DVD (step 56). If not, the system extension software lays dormant in step 58" (e.g., page 7, lines 1 and 2). This exemplary feature can prevent the system extension software from taxing the resources of the computer when the DVD does not have any embedded resource indications (e.g., page 7, lines 3 and 4).

The foregoing features are broadly encompassed by claim 2, which recites, a method, including among other claimed features, in an operating system, checking a digital versatile disc (DVD) for the presence of resource indications and sector address regions associated with said resource indications; and while playing the DVD, if a resource indication is present upon checking the DVD, then in the operating system examining the sector addresses of requested DVD data for a match with the addresses associated with the resource indications, and if a match is found, then in the operating system starting an application program and providing the

resource indication having the matching associated address to the application program to obtain a resource external to the DVD while a DVD player software operates to play the DVD, otherwise, when a resource indication is not present upon checking the DVD, laying dormant from further checking the DVD for the presence of resource indications, wherein the resource indications and the associated sector address regions are stored as embedded information accessible from a text portion of the DVD in a manner that they are ignored by systems that do not support embedded information. Claims 12, 21 and 29 recite a system, a computer readable medium, and an apparatus having elements performing similar functions.

The Kanazawa et al. patent would not have taught or suggested the claimed features. Rather, the Kanazawa et al. patent relates to programs stored in DVD 40 being loaded into RAM 2 for accessing information relevant to the video information in audiovisual information of network resources (col. 10, lines 25-40). The Examiner appears to rely on the Kanazawa et al. disclosure that a DVD playback control program 116 uses an internet address as an argument to start an internet browser 117 (col. 16 in general); in combination with the Kanazawa et al. disclosure that the address at which the URL has been written is specified in the operand of a jump command (col. 19, lines 14-16). However, the address based jump command is directed to enabling a link to a specified location when a button is physically pressed (col. 19, lines 16-17). Accordingly, the act of pressing a button is indicative of a user-interactive system that serves to enable a link to an internet web site of user's interest, e.g., when a user clicks a Web mark on the screen, the CPU links to a Web server on the Internet (see, e.g., Abstract). The Kanazawa et al. patent as disclosed would not have taught or suggested, while playing the DVD, if a resource indication

is present upon checking the DVD, then in the operating system examining the
sector addresses of requested DVD data for a match with the addresses associated
with the resource indications, and if a match is found, then in the operating system
starting an application program and providing the resource indication having the
matching associated address to the application program to obtain a resource
external to the DVD while a DVD player software operates to play the DVD,
otherwise, when a resource indication is not present upon checking the DVD, laying
dormant from further checking the DVD for the presence of resource indications,
wherein the resource indications and the associated sector address regions are
stored as embedded information accessible from a text portion of the DVD in a
manner that they are ignored by systems that do not support embedded information,
as Applicants have claimed. Accordingly, the Kanazawa et al. patent would not have
taught or suggested the features recited in claims 2, and as similarly recited in claims
12, 21 and 29.

On page 7 of the Office Action, the Examiner relies on the disclosure in the
Bugnion et al. patent that a device emulator 300 uses API 392 offered by HOS 340
to emulate an I/O request to read or write disk sectors (col. 16, lines 26-35).
However, it appears that the Examiner has taken the read or write of disk sectors as
disclosed in the Bugnion et al. patent out of context of virtual disks. The Bugnion et
al. patent does not cure the deficiencies of the Kanazawa et al. patent. As
Applicants have argued of record, the virtual machine monitor as taught by the
Bugnion et al. patent merely relates to an isolated instance of a virtualized operating
system resident within a conventional host operating system, but this is a virtualized
operation that is completely devoid of 1) checking a digital versatile disc (DVD) for

the presence of resource indications and sector address regions associated with said resource indications; and while playing the DVD, 2) if a resource indication is present upon checking the DVD, then in the operating system examining the sector addresses of requested DVD data for a match with the addresses associated with the resource indications, and if a match is found, then in the operating system starting an application program and providing the resource indication having the matching associated address to the application program to obtain a resource external to the DVD while a DVD player software operates to play the DVD, 3) otherwise, when a resource indication is not present upon checking the DVD, laying dormant from further checking the DVD for the presence of resource indications, wherein the resource indications and the associated sector address regions are stored as 4) embedded information accessible from a text portion of the DVD in a manner that they are ignored by systems that do not support embedded information, as recited in claim 2. Claims 12, 21 and 29 recite a system, a computer readable medium, and an apparatus having elements performing similar functions.

The Olson patent does not cure the deficiencies of the Kanazawa et al. patent and the Bugnion et al. patent. The Office Action variously relies on the passage of the Olson patent in which an operating system 26 loads a device driver 28' that is aware of a second memory region 42 to access its contents (col. 5, lines 30-49), apparently for the asserted proposition that "there exist a region having data which without a driver that is aware of the existence thereof, will effectively not use, not access or would ignore the region, in view of no knowledge of its existence" (page 8 of the Office Action). However, the Olson patent does not speak of the resource indications and the associated sector address regions are stored as embedded

information accessible from a text portion of the DVD in a manner that they are ignored by systems that do not support embedded information, as Applicants have claimed. Further, the disclosed utilizations of ROM or NVRAM memories in the Olson patent, even if combined with the Kanazawa et al. patent and the Bugnion et al. patent as suggested by the Examiner, would not have taught or suggested the features as recited above in claims 2; and as similarly recited in claims 12, 21 and 29.

The deCarmo patent does not cure the deficiencies of the Kanazawa et al. patent, the Bugnion et al. patent and the Olson patent. On page 9 of the Office Action, the Examiner relies on the passages in the deCarmo patent that a system thread 302 adds counters to, or removes counters from, a counter group 324 (col. 6, lines 35-45); and that a system thread creates a counter thread when the system thread detects that at least one of the counter parameters is being utilized by the system (col. 3, lines 57-61). However, what the deCarmo patent further discloses is that the counter thread is woken up at periodic intervals so that it can increment and decrement its associated counter parameters (col. 3, lines 62-66.). This is completely devoid of 1) checking a digital versatile disc (DVD) for the presence of resource indications and sector address regions associated with said resource indications; and while playing the DVD, 2) if a resource indication is present upon checking the DVD, then in the operating system examining the sector addresses of requested DVD data for a match with the addresses associated with the resource indications, and if a match is found, then in the operating system starting an application program and providing the resource indication having the matching associated address to the application program to obtain a resource external to the

DVD while a DVD player software operates to play the DVD, 3) otherwise, when a resource indication is not present upon checking the DVD, laying dormant from further checking the DVD for the presence of resource indications, wherein the resource indications and the associated sector address regions are stored as 4) embedded information accessible from a text portion of the DVD in a manner that they are ignored by systems that do not support embedded information, as recited in claim 2. Claims 12, 21 and 29 recite a system, a computer readable medium, and an apparatus having elements performing similar functions.

At least for the foregoing reasons, Applicants' claims 2, 12, 21 and 29 are allowable. The remaining claims depend from the respective independent claim and recite additional advantageous features which further distinguish over the documents relied upon by the Examiner. As such, the present application is in condition for allowance.
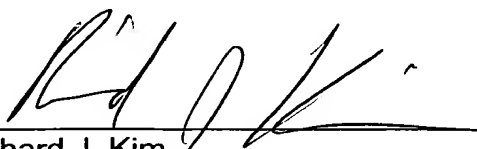
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: July 17, 2008   By: _____

Richard J. Kim
Registration No. 48360

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620